

REMARKS/ARGUMENTS

Claims 1-2, 6, 8, 9, 11-13, and 17-20 are pending in the present application, of which claims 1, 9, 19, and 20 are independent. Claims 1, 6, 9, 11, and 17-20 are hereby amended. No new matter has been added.

The courtesies extended to Applicant's representative by Examiner Survillo during the telephonic interview held on April 16, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview

SPECIFICATION OBJECTION

On page 4, the Office Action objects to the specification for allegedly failing to provide clear support for certain claims. Applicant respectfully traverses this objection for the reasons detailed below.

On pages 6-8, the Office Action alleges that the specification fails to provide support for independent claims 1, 9, 19, and 20. In particular, the Office Action alleges that "Policy Description Protocol" is an error for "Policy Decision Point." In response, Applicant hereby adopts the Examiner's suggestion by amending the claims to recite a "Policy Decision Point" instead of a "Policy Description Protocol." Applicant further notes that the Advisory Action of March 30, 2009 indicated that

this amendment would overcome this objection. Accordingly, Applicant respectfully requests withdrawal of the objection to the specification.

REJECTIONS UNDER 35 U.S.C. § 112, ¶1

On pages 6-8, the Office Action rejects claims 1, 2, 6, 8, 9, 11-13, and 17-20 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicant respectfully traverses these rejections.

The Advisory Action of March 30, 2009 alleges that “applicants failed to provide a clear support in the specification for each limitation of the claimed subject matter underlined at pages 6-7 of the last Office Action.” In response, Applicant hereby addresses each underlined section.

The first underlined section recites, in part, the following subject matter: “said first resource policy layer including at least one first policy description protocol (PDP), wherein said first NRC initiates association between said first PEP and said at least one first PDP, and said first PDP provides said first PEP with a policy upon establishment of said association between said first PEP and first PDP.” In response, Applicant has amended the wherein clause to read: “wherein said first NRC acts as the trusted entity that initiates,” subject matter that finds clear support in paragraph [0032] of the published version of the specification. The next

amended section, "said first PDP provides said first PEP with policies," finds support in paragraph [0009] of the specification.

The second underlined section recites, in part, the following subject matter: "which initiates association between a second said PEP in said second domain and said first PDP, said first PDP providing said second PEP with a policy upon establishment of said association between said second PEP and said first PDP" (emphasis added). As described above, this section also finds support in the specification, for example, in paragraphs [0009] and [0032].

Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 1, 2, 6, 8, 9, 11-13, and 17-20 under 35 U.S.C. § 112, first paragraph.

REJECTIONS UNDER 35 U.S.C. § 112, ¶2

On pages 8-10, the Office Action rejects claims 1, 6, 9, 11, and 17-18 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Applicant respectfully traverses this rejection for the reasons detailed below.

On pages 8-9, the Office Action rejects independent claims 1, 9, 19, and 20 because it is allegedly unclear which element performs the function of establishing services that utilize policy-enabled resources. In response, as recited in paragraph [0018], Applicant responds that policy management is performed by the resource policy layer (RPL), which establishes services across domains in the network.

Accordingly, Applicant replaces the passive voice form, "a service being established," with the active voice form, "establishing the particular service." Applicant notes that the Advisory Action of March 30, 2009 indicated that this amendment would be sufficient to overcome the rejection.

On page 9, the Office Action rejects claims 1 and 9 because it is allegedly unclear how decoupling of policy management from the management of policy-enabled resources is achieved. In response, Applicant notes that Figure 2 depicts "decoupling of policy management and resource management," illustrating separate lines for policy provisioning and resource discovery. Applicant notes that the Advisory Action of March 30, 2009 indicated that no amendment has been made to address this issue.

In response to the Advisory Action, Applicant hereby removes the whereby clause from claims 1 and 9, replacing it with "the requests from the available policy-enabled resources being separate from the identification of the policy-enabled resources" (emphasis added). This subject matter finds support in the specification, for example, in paragraph [0027].

On page 9, the Office Action alleges that claim 6 is unclear because it recites "a second domain." The Advisory Action of March 30, 2009 also indicates that "a second PEP" is unclear. In response, Applicant hereby changes the indefinite article "a" to the definite article, "the," as suggested by the Examiner in both places.

On page 10, the Office Action alleges that “at least one first PDP” is unclear in claim 9. In response, Applicant hereby changes “at least one first” to “a first.” On page 10, the Office Action alleges that “a main PEP” of claim 11 is ambiguous in claim 11. In response, Applicant hereby changes “a main” to “the first” to remove the alleged ambiguity.

On page 10, the Office Action alleges that “said particular service” in claims 17 and 18 lacks a proper antecedent. In response, Applicant hereby changes “said particular service” to “a particular service.” The Advisory Action of March 30, 2009 indicated that these amendments to claims 9, 11, 17, and 18 would be sufficient to overcome the rejections.

Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 1, 6, 9, 11, and 17-18 under 35 U.S.C. § 112, second paragraph.

REJECTION UNDER 35 U.S.C. § 101

On pages 10-12, the Office Action rejects claims 1, 2, 6, 8, 17, and 19 under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection for the reasons detailed below.

Independent claim 1, as amended, now recites the following subject matter: “a **network element** of the communications **network**” (emphasis added). This subject matter finds support in the specification, for example, in paragraph [0025].

Applicant respectfully submits that a network element of the communications network does qualify as a “physical part” of an apparatus because a network element is a tangible object. Moreover, Applicant respectfully submits that the communications network itself is also a physical object.

Moreover, the Advisory Action of March 30, 2009 suggested adding “a first PEP residing on a network element” to claim 1. Applicant hereby amends claim 1, as suggested by the Examiner.

The Advisory Action of March 30, 2009 further suggests adding at least one physical object to claim 19. As discussed during the telephonic interview on April 16, 2009, Applicant hereby amends claim 19 as suggested by the Examiner, adding “residing on a network element of the communications network” to lines 6-7.

Because independent claims 1 and 19 both recite a “physical part of a machine,” as stated on page 11 of the Office Action, Applicant respectfully submits that claims 1 and 19 recite statutory subject matter. Claims 2, 6, 8, and 17 depend from independent claim 1 and therefore recite statutory subject matter as well.

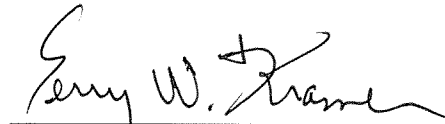
Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1, 2, 6, 8, 17, and 19 under 35 U.S.C. § 101.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.



Terry W. Kramer
Registration No.: 41,541

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KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802